

Docket No. 1255

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

James F. McGuckin, Jr., et al

Serial No.:

10/696,932

Examiner:

Unknown

Filed:

October 30, 2003

Art Unit:

3765

For:

Vein Filter

Commissioner For Patents P.O. Box 1450 Alexandria, Va. 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION-FILING DATE GRANTED

Sir:

In response to the Notice of File Missing Parts of Application – Filing Date Granted, dated August 25, 2004, Applicant(s) encloses herewith a properly executed original Declaration and Assignment in compliance with 37 C.F.R. 1.63, along with a copy of the Notice. Please charge the required fee of \$65.00, and any fee deficiencies, to cover the surcharge under 37 C.F.R. 1.16(e) to Deposit Account No. 501567.

In the event any extensions of time are required, please treat this paper as a petition to extend the time as required and charge Deposit Account No. 501567. TWO (2) COPIES OF THIS SHEET ARE ENCLOSED.

Respectfully submitted,

Dated: 9

Neil D. Gershon

Reg. No. 32,225

Attorney for Applicant

Rex Medical 2023 Summer St. Suite 2 Stamford, CT. 06905



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMER United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS

P.O. Box 1450 Alexandria, Vinginia 22313-1450 www.usplo.gov

APPLICATION NUMBER

Rex Medical, L.P.

2023 Summer St.

Stamford, CT 06905

Suite 2

FILING OR 371 (c) DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/696,932

10/30/2003

James F. McGuckin JR.

CONFIRMATION NO. 1044

FORMALITIES LETTER

OC000000013620970*

Date Mailed: 08/25/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$65 for a Small Entity

\$65 Late oath or declaration Surcharge.

Replies should be mailed to:

Mail Stop Missing Parts

Commissioner for Patents

P.O. Box 1450

09/27/2004 HVUONG1 00000024 501567

10696932 Alexandria VA 22313-1450

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Initial Patent Examination Division (703) 308-1202
PART 2 - COPY TO BE RETURNED WITH RESPONSE



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3765

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CERTIFICATE OF MAILING

Date of Deposit: 9 24/04

I hereby certify that the following:

- [X] This Certificate of Mailing
- [X] Response to Notice to File Missing Parts of Application-Filing Date Granted
- [X] Assignment of Invention
 - [X] executed [] unexecuted
- [X] Declaration and Power of Attorney
 - [X] executed [] unexecuted
- [X] Return postcard

are being deposited with the United States Postal Service first class mail on the Date of Deposit indicated above in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Neil Gershon Rex Medical

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